

USDA Orders James T. Harmon, dba J.H. Cattle Company to Cease and Desist

WASHINGTON, January 29, 2007 - On November 8, 2006, the Grain Inspection, Packers and Stockyards Administration (GIPSA) filed a consent decision against James T. Harmon (Harmon), a livestock dealer doing business as J.H. Cattle Company, Clovis, New Mexico. The decision suspends Harmon's registration for five years and requires that he cease and desist from: issuing Non Sufficient Funds checks; failing to pay, when due, the full purchase price of livestock; failing to pay the full purchase price of livestock; and engaging in any business in commerce in any capacity for which registration and bonding is required under the Packers and Stockyards (P&S) Act.

The decision results from a year-long investigation followed by a complaint filed on February 10, 2006, in which GIPSA alleged Harmon: continued to engage in the business of buying and selling livestock in commerce for his own account and bought livestock on a commission basis for others without maintaining an active registration or adequate bond coverage as required by the P&S Act and Regulations; failed to pay the full amount due for his livestock purchases within the time period required by the P&S Act; did not have and maintain sufficient funds on deposit and available in the account upon which checks were drawn to pay the checks when presented; and failed to keep livestock purchases and sales invoices, contracts, credit agreements, journals, load make-up sheets, scale tickets and trucking or freight records.

The decision may be modified to terminate the suspension after 150 days if Harmon is in full compliance with the P&S Act and circumstances warrant the termination.

The P&S Act is a fair trade practice and payment protection law that promotes fair and competitive marketing environments for the livestock, meat, and poultry industries.

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